IN THE SUPREME COURT OF THE STATE OF NEVADA

AHERN RENTALS, INC., Appellant, vs. TERRY MOULTON, AN INDIVIDUAL; AND DIAMONDBACK RENTALS AND SALES, INC.,

Respondents.

No. 39438

JUN 13 2002 JANE ITE M. BLOOM CLERK OF SUPREME COURT BY CLERK OF SUPREME COURT

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: B. Horstmanshoff

cc: Hon. Nancy M. Saitta, District Judge Lester H. Berkson, Settlement Judge Susan Frankewich, Ltd. Law Office of Daniel Marks Kathleen M. Paustian Clark County Clerk

VIE COURT OF NEVADA

02-10259